



Linda S. Adams
Secretary for
Environmental
Protection

California Regional Water Quality Control Board Central Valley Region

Karl E. Longley, Sc, P.E., Chair

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Arnold
Schwarzenegger
Governor

Mr. Frank Alvin Rogers Jr.
Rogers Trucking
3832 Holloway Road
Colusa, CA 95932

30 November 2009

TENTATIVE ADMINISTRATIVE CIVIL LIABILITY ORDER, FRANK ALVIN ROGERS AND FRANK ROGERS TRUCKING, COLUSA COUNTY

Enclosed for your information is a tentative Administrative Civil Liability Order (Tentative Order), which assesses **thirty thousand dollars (\$30,000)** in civil liabilities for the 25 April 2007 spill of aqua ammonia into the Reclamation District 108 canal system. Also enclosed for your information is a tentative Payment Schedule letter. These documents are identical to that which you reviewed and agreed upon through the 20 November 2009 signed Settlement Agreement, which is also enclosed for your information.

This Tentative Order may become final after a 30-day period, during which time interested parties may comment on this action by submitting information to this office, attention Wendy Wyels. Should the Central Valley Water Board receive new information during this comment period, the Central Valley Water Board may withdraw the tentative Order. Any comments or evidence concerning the enclosed Tentative Order must be submitted **no later than 5 p.m. on 30 December 2009**. This includes material submitted by interested parties, including members of the public, who wish to comment on the proposed settlement.

In order to conserve paper and to reduce mailing costs, paper copies of the Tentative Order and Payment Schedule have been sent to the Discharger only. The full text of these documents are available on the Central Valley Water Board's website at:

<http://www.waterboards.ca.gov/centralvalley/tentative>

Anyone may request a paper copy of the documents by calling the Central Valley Water Board staff listed below.

If you have any questions or comments regarding the tentative Order and payment schedule, please contact me at (916) 464-4835.

WENDY WYELS
Supervisor, Compliance and Enforcement Section

Enclosures: Tentative ACL Order
Tentative Payment Letter
Settlement Agreement

cc list: see second page

cc w/ encl: Mr. Manish Parikh, Esq., Law Offices of Borton Petrini, LLP, Sacramento

cc w/o encl: Pamela Creedon, Central Valley Water Board, Rancho Cordova
Kenneth Landau, Central Valley Water Board, Rancho Cordova
Ann Carroll, Office of Enforcement, SWRCB, Sacramento
Patrick Pulupa, Office of Chief Counsel, SWRCB, Sacramento
Reed Sato, Office of Enforcement, SWRCB, Sacramento
Lori Okun, Office of Chief Counsel, SWRCB, Sacramento
Emel Wadhwani, Office of Chief Counsel, SWRCB, Sacramento
Carol Oz, Department of Fish and Game, Region 2, Rancho Cordova